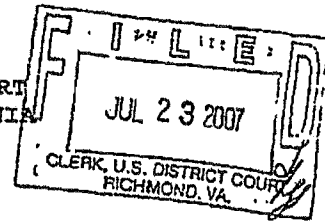


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



JAMES FAILE and
TRICIA FAILE,

Plaintiffs,

v.

Civil Action No. 3:06cv617

EQUIFAX INFORMATION
SERVICES LLC, et al.,

Defendants.

ORDER

Having reviewed Plaintiffs' Motion for Discovery Sanctions (Docket No. 47), the Plaintiffs' Memorandum In Support Of Their Renewed Motion To Compel Discovery Answers Of Defendant Equifax Information Services, LLC And For Sanctions (Docket No. 52) and Plaintiffs' Renewed Motion For Sanctions (Docket No. 100) and the supporting and opposing memoranda and exhibits respecting the foregoing, and having reviewed the Order to Show Cause entered herein on May 22, 2007 respecting the noncompliance of Kent E. Mast with a verbal order of the Court to attend a settlement conference and the briefing respecting that topic, and having been advised that the plaintiffs wish to withdraw the two motions for sanctions and have asked that the Order to Show Cause be dismissed without further action, all for the reason that the action has been settled by agreement among the parties, and the Court having, with the knowledge of the plaintiffs' counsel, conferred in person with

121



Kent E. Mast, the general counsel for Equifax Information Services, LLC and with a personal representative of the Chief Executive Officer of that company, Richard F. Smith, and having informed Mr. Mast and Mr. Smith of the topics raised by the motions for sanctions and the Order to Show Cause, and having been assured that the defendant, Equifax Information Services, LLC recognizes the impropriety and inappropriateness of the discovery conduct outlined in the motions, and having received assurances from the general counsel for Equifax Information Services, LLC that there will be no recurrence of the kind of conduct outlined in the motions for sanctions and the Order to Show Cause, and having been assured that the defendant has taken steps, and will continue to take steps, to assure that there is no recurrence of that kind of conduct in any case pending in this Court (in any of its divisions), it is hereby ORDERED that, at the request of counsel for the plaintiffs, and having received the foregoing assurances from the defendant, Equifax Information Services, LLC, the Plaintiffs' Motion For Discovery Sanctions (Docket No. 47) and Plaintiffs' Renewed Motion For Sanctions (Docket No. 100) are denied as having been withdrawn and the Order to Show Cause (Docket No. 92) is dismissed without further action.

The Clerk is directed to send a copy of this Order to all counsel of record and to the general counsel of Equifax Information

Services, LLC, Mr. Kent E. Mast, and to its Chief Executive Officer, Mr. Richard L. Smith, and to the representative of Mr. Smith, James C. Roberts, Esquire.

It is so ORDERED.

Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: July 23, 2007